IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.391 OF 2006

Mrs.Pushadevi Narayandas Varma
and ors. : Applicants.

versus

The State of Maharashtra : Respondent.

Mr.Vinod Y. Mishra for the applicants.
Miss.S.V.Gajre, APP, for the State.

CORAM : V.M.KANADE, J.

DATED : 10th February 2006.

ORAL ORDER

1. Heard learned counsel appearing for the applicants and learned APP for the State. The applicants are permanently residing at village Mulgarh Jhansi (U.P.). Son of applicant No.1 was married to the deceased. Applicant No.1 is the mother-in-law of the deceased. Her son and her daughter-in-law used to stay at Ulhasnagar. On

the date of incident, when the husband of deceased had gone to his office, the deceased was found in burned condition in the house. Thereafter her dying declaration was recorded. In the dying declaration she stated that when she was staying with the present applicants at the native place, they had harassed her.

2. In my view, no evidence to indicate that the applicants were present in the house when deceased was found in burned condition. Though the investigation is in progress, the charge sheet is likely to be filed within a couple of weeks. In this view of the matter, the applicants are entitled to be released on bail. In the result, the applicants to be released on bail in the sum of Rs.5,000/- [Rupees Five Thousand only] each with one or two sureties in the like amount. The applicants may initially be released on cash bail and they shall furnish sureties within four weeks. The application is disposed of accordingly.

[V.M.KANADE,J]